5TH DISTRICT, MISSOURI

FINANCIAL SERVICES COMMITTEE

HOMELAND SECURITY COMMITTEE

SELECT COMMITTEE ON
ENERGY INDEPENDENCE AND
GLOBAL WARMING

1ST VICE CHAIR
CONGRESSIONAL BLACK CAUCUS

REGIONAL WHIP (Region 4)

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December 3, 2009

The Honorable James L. Oberstar
Committee on Transportation and
Infrastructure
Chairman
2165 Rayburn HOB
Washington, DC 20515

The Honorable John L. Mica
Committee on Transportation and
Infrastructure
Ranking Member
2163 Rayburn RHOB
Washington, DC 20515

Dear Chairman Oberstar and Ranking Member Mica,

I respectfully submit for your consideration of my prioritized requests for inclusion of the following initiatives in my District in the Water Resources Development Act of 2010 (WRDA).

1) Inland Waterways Research Institute (111-MO-5th-007)
2) Brush Creek (111-MO-5th-008)
3) Blue River Channel (111-MO-5th-002)
4) Blue River Basin (111-MO-5th-003)
5) ARRA Effects on Corps of Engineers (111-MO-5th-004)
6) Environmental Infrastructure (111-MO-5th-001)
7) Little Blue Lakes Reinvestment (111-MO-5th-005)
8) Little Blue River Bank Stabilization (111-MO-5th-006)

Enclosed you will find two Congressional Earmark Certification forms with original signatures for each project that I have requested, a letter of support from the local project sponsor, and a copy of the receipt.

Also attached is a document containing suggested legislative language for each request and a more detailed explanation of the Inland Waters Research Institute.

I appreciate the opportunity to request these project authorizations on behalf of the Fifth District of Missouri. If you have any questions, please do not hesitate to contact me or Brad Benton on my staff at 5-4535.

Warmest regards,

Emanuel Cleaver, II
Member of Congress
Missouri's Fifth District

Project Number 1, Inland Waters Research Institute: Please see attached supporting materials.

Project Number 2, Brush Creek: No suggested language, complete description:

Brush Creek West Plaza Improvement is located in the Brush Creek Watershed and a component of the Blue River Watershed that flows into the Missouri River. The West Plaza improvements would extend from State Line Road and east to Roanoke Rd, a ¾ mile reach. The East Brush Creek improvements would be under the Bruce R. Watkins bridge and then from the Lake of the Enshriners east to the confluence of the Brush Creek and Blue River.

The Brush Creek West Plaza project ($20,700,000.00) will provide flood control, channel improvements, bank stabilization, erosion & sediment control, walkway connections, landscaping and park improvements consistent with other sections of Brush Creek. Currently, the Army Corps of Engineers is working on the Brush Creek Feasibility Study, a bi-state cooperative effort. The Bruce R. Watkins to the Blue River Reach ($11,000,000) will provide flood control, channel improvements, bank stabilization, recreation trails connections and other park improvements.

Project Number 3, Blue River Channel:

SEC. _____. BLUE RIVER CHANNEL, KANSAS CITY, MISSOURI.

(a) REPORT.—The Blue River Channel project for flood damage reduction and other purposes, authorized by the River and Harbor Act of 1970, PL 91-611, is modified to direct the Secretary, acting through the Chief of Engineers, to prepare a general reevaluation report to determine if additional flood damage reduction, habitat restoration, compatible recreation, and other allied purposes and features are feasible and justified in the Blue River Basin, and make appropriate recommendations for authorization of beneficial modifications to the project and improvements in the watershed.

(b) APPROPRIATION.- Funding for this study shall utilize the Construction General account consistent and in conjunction with the Blue River Channel project.

(c) COST SHARING.— The cost sharing for the general reevaluation report shall be 50 percent Federal and 50 percent by local sponsor, consistent with Corps of Engineers feasibility studies. In-kind contributions up to the full sponsor share shall be allowed. The Corps of Engineers shall utilize a standard model feasibility cost sharing agreement (FCSA) in form and substance to implement the study and complete the recommendation report that shall reference this authorization.

Project Number 4, Blue River Basin:

SEC. _____. BLUE RIVER BASIN, DODSON INDUSTRIAL DISTRICT, KANSAS CITY, MISSOURI

The project for flood damage reduction, Blue River Basin, Dodson Industrial District, authorized in the Water Resources Development Act (WRDA) of 1996, due to higher costs from incremental funding over an extended construction period, is herein re-authorized at a total cost of $30,000,000, with an estimated Federal cost of $22,500,000 and estimated non-Federal cost of $7,500,000.

Project Number 5, ARRA Effects on Corps of Engineers:

SEC. _____ JOINT USE COST EFFECTS OF ARRA.

The joint use costs of maintenance, repair and replacement activities at Corps of Engineers projects using funds provided under the ARRA shall be exempt from repayment under the terms of existing Corps of Engineers waters supply and recreation contracts at projects affected by ARRA funding. The Secretary is hereby directed to modify affected contracts accordingly for projects the Secretary deems contract modifications or amendments will be required

Project Number 6, Environmental Infrastructure:

SEC.____ ENVIRONMENTAL INFRASTRUCTURE, KANSAS CITY, MISSOURI

Section 502, paragraph (31) of the Water Resources Development Act of 1999, PL 106-53, is amended to delete $15,000,000 to insert in its place $80,000,000.

Project Number 7, Little Blue Lakes Reinvestment:

Sec. _____, RECREATION DEVELOPMENT AT LITTLE BLUE LAKES, MISSOURI

(a) Contract Modification. – Notwithstanding the requirements of section 2 of the Federal Water Project Recreation Act (16 U.S.C. 4601-13) and Contract No. DACW41-74-C-0040 between the United States and Jackson County, Missouri, dated May 20, 1974, as amended, which set out the terms of repayment with interest by Jackson County of 50 percent of the capital costs incurred by the United States for construction of the recreation development at the Little Blue Lakes, Missouri, the Secretary of the Army is directed to modify the terms of that contract to provide for the retention by Jackson County, from fiscal year 2010 to fiscal year 2040 of one-half of the amount that would otherwise have been paid by Jackson County under the existing terms of the contract.

(b) Financial Terms and Conditions. - The modification shall be without consideration and shall specify that the amount retained by Jackson County shall be used solely for the improvement, operation, or maintenance of the recreation areas identified in Lease No. DACW41-1-87-34, dated September 30, 1987 and Lease No. DACW41-1-89-181, dated May 9, 1990 between the Department of Army and Jackson County, Missouri.

(c) Other Terms and Conditions. - The modification shall contain such other terms and conditions as the Secretary determines necessary and appropriate to ensure protection of the Federal investment at the Little Blue Lakes, Missouri.

Project Number 8, Blue River Bank Stabilization:

Sec. _____, JACKSON COUNTY, MISSOURI - LITTLE BLUE RIVER.

The Blue River project for flood control and other purposes, authorized by the River and Harbor Act of 1970, PL 91-611 is modified to direct the Secretary in consultation with Jackson County to design and construct bank stabilization for the Little Blue River improvements including flood damage reduction, environmental protection and restoration. The Secretary shall credit Jackson County toward the non-federal share of the cost of the project the cost of design and construction work carried out by the non-Federal interest for the project previously spent back to and including the year 2000. There is authorized to be appropriated $2,275,000 to carry out this section

Inland Waters Research Institute

A laboratory devoted to the integrative research and innovation of the ecology and economy of water, water quality and security, risk mitigation, human health, renewable energy, nutrient production, and integration of water research

We are only now beginning to understand the degree of integration between all natural systems in the world in which we live. In 2001, scientists from four great international global research institutions published a declaration stating, "The Earth system behaves as a single, self-regulating system, comprised of physical, chemical, biological and human components[1]." It has also been recently revealed that our man-made systems and human activity on Earth are profoundly impacting this Earth system. Water is critically important to the sustaining of our way of life, but has suffered due to the lack of resources and integration/coordination of scientific investigation. The inland water systems of the United States provide essential resources but are in jeopardy due to lack of a comprehensive understanding of how they function and how our actions impact them.

Background

For many communities across the country, water quality and supply is a critical issue. Aquifer levels continue to drop due to agricultural activities and the increasing demand of urban areas. In Atlanta, the largest user of electricity is the water utility, and the City faced the catastrophic scenario of nearly running out of water last year. Pollutants, artificial nutrients, and eroded soil from the Mississippi River Basin are damaging the Gulf of Mexico at an increasing rate. Colorado and other western states are valuing land based on water and water access rights. San Diego and other coastal communities face uncertain futures because of questions over water supply and security. Internationally, water problems may soon join energy as one of the greatest threats to security worldwide.

Water issues are becoming increasing important locally as well. Kansas City and St. Louis both face water management problems due to combined storm and sanitary sewers that place enormous financial burdens on their urban populations. The massive amount of energy used in harvesting, pumping, and cleaning water contributes to carbon emissions and climate concerns. In the Kansas City metropolitan area, over 20 municipalities contribute to the problem, and this fragmented organization poses challenges to finding a comprehensive solution. Seventy percent of the globe's freshwater supply is utilized in food production, and the Midwest economy is closely linked to water through the production of food. The health of the nation's great rivers, the Missouri and Mississippi, is heavily impacted by agriculture and is key for agricultural production and distribution. If water is no longer readily or economically available, what will happen to that economy?

Recognizing that water is an important and immense resource for the Midwest, we propose an institute to study our inland rivers, waterways, and aquifers. The institute would address issues of urban water management and suburban sprawl; farming practices; climate change; boating and recreation; Federal policies, programs, and regulations; and other forces impacting the health of our natural water systems. Potential partners for the research endeavor include Federal and State agencies such as the Department of Natural Resources, U.S. Army Corps of Engineers, Environmental Protection Agency; colleges and universities throughout the Midwest, and others.

Triple Bottom Line

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[1] J.E. Lovelock, "The Revenge of Gaia," New York: Basic Books. 2006.

There are many constituents in the issues of water management having diverse opinions and interests. The largest group of constituents is the human population. Clean, fresh water is essential for the health and well-being of humanity. Abundant fresh water is equally important for sustaining a healthy economy and preserving nature. The Inland Waters Research Institute will approach its work to balance the issues of people, nature, and economy. This triple bottom line is critical as each system—humanity, the environment and our economy—must be healthy and thriving. The Institute will focus in areas of commonality, specifically researching water as the most valuable resource in our society's future.

Proposal

We propose to create a National Inland Waters Research Institute in Kansas City with strong links to universities, federal and local entities, and industry. The primary focus and mission of the Institute will be the ecology of water systems, the economy of water, renewable energy and nutrient production for the Midwest. Other areas of investigation within the scope of water systems research include: human health issues, water security, aquatic life, urban water systems, aquifer health and preservation, river systems management, agricultural impact, climate impact, air quality, energy consumption, risk mitigation strategies, and soil erosion.

The ultimate vision is to develop a national resource/national laboratory dedicated to the study of water as our most critical resource. Through scientific and applied research, the Institute will support the State and Federal roles, influence policy, and advance integrative management of water resources. The model for this Institute is the National Renewable Energy Laboratory, which Midwest Research Institute has managed for over 30 years and has become the recognized high quality national resource for renewable energy in the United States and the world. The Institute will conduct and fund studies and programs focused on the long-term health of our water systems in the United States.

Schedule and Funding Requirements

Phase 1. Establish and Develop the Scope for the Institute. In Phase 1, we will develop the overall scope, refine the vision, establish the management structure and collaboratory relationships to initiate programs. Our focus will be on developing the funding models and research needs through extensive networking within the network of collaborating entities. Phase 1 will take 1 year and the funding request is $1,500,000.

Phase 2. Management and Operation. Phase 2 will focus on managing programs and expanding the research focus of the operation. Phase 2 efforts will include evaluation of facility needs and establishing the long-term research agenda for the Institute. Phase 2 is a 2-year effort with a budget of $23,500,000.

Phase 3. Expansion of Mission. Phase 3 efforts will focus managing programs, but also on the expansion of funded programs and reach. During Phase 2, consideration toward establishing a fixed research facility and designation of the Institute as an FFRDC (federally-funded research and development center) will be evaluated. Phase 3 is a 5-year effort, and funding requirements are estimated at $100,000,000.

Management

The Institute will employ scientists and other research professionals and would be managed by Midwest Research Institute. Operations will be overseen by a multidisciplinary board comprised of industry, government, academic, and community leaders. As noted above, the management system

will be modeled on the highly successful and highly regarded National Renewable Energy Laboratory that Midwest Research Institute has managed for the past 30+ years. Our vision is to establish the Institute in Kansas City, Missouri as an FFRDC within the first 5 years of effort with the eventual goal to be the premier organization for water research in the world.

Funding will be derived from grants, federal sources, private research partnerships, and other innovative programs.

Point of Contact

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